

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAWYERS COMMITTEE FOR CIVIL
RIGHTS OF THE SAN FRANCISCO
BAY AREA,

Plaintiff(s),

No. C 07-2590 PJH

v.

**ORDER VACATING JUDGMENT
AND SETTING BRIEFING SCHEDULE**

UNITED STATES DEPARTMENT OF
THE TREASURY,

Defendant(s).

The judgment entered on February 14, 2008, is hereby VACATED and the case reopened. Pursuant to this court's February 14, 2008 order on defendant's motion for summary judgment, defendant disclosed certain documents and withheld others under claim of various exemptions. As the posture of this case did not permit defendant to advance the exemptions previously, the court will permit defendant to do so now. The court determines, and the parties agree, that no administrative exhaustion or appeal is necessary. Instead the claim will be resolved as follows.

The parties shall meet and confer in an attempt to resolve plaintiff's objections to the redaction of certain documents (numbering fewer than 100) and the validity of defendant's claimed exemptions for the de-listing petitions (numbering 346). With respect to the former, the court expects that personal identifying information may be properly redacted, but that purely anecdotal or narrative information may not. If the parties are unable to resolve this part of the dispute, the court will review a small number or a representative sampling of the disputed documents *in camera*. With respect to the de-listing petitions, if defendant is unable to convince plaintiff as to the validity of the claimed exemptions,

1 defendant will file a motion for summary judgment.

2 The meet and confer will take place over the next sixty days, until May 28, 2008. if
3 the dispute regarding the redactions has not been resolved, the parties shall contact the
4 courtroom clerk of the undersigned to arrange a conference call for the morning of May 30,
5 2008. If a motion for summary judgment becomes necessary, defendant must file the
6 motion no later than June 18, 2008, noticed for hearing on July 23, 2008, although the
7 court is likely to decide it on the papers. Plaintiff's opposition and defendant's reply shall be
8 filed in accordance with the local rules.

9 With the reopening of the case, the deadline for plaintiff's motion for an award of
10 attorneys fees is extended.

11 **IT IS SO ORDERED.**

12 Dated: March 25, 2008



PHYLLIS J. HAMILTON
United States District Judge